

# SHIRE OF CARNAMAH

Ordinary Meeting of Council  
21<sup>st</sup> September 2016

## Notice of Meeting

**PLEASE NOTE:**

**Immediately prior to the meeting (at 2.30pm) an on-site inspection of the Eneabba Tennis Club shed and surrounds will be carried out.**

*This relates to Agenda Item 10.2.1 – Proposed Multi-Purpose Shed for Eneabba Playgroup and Eneabba Tennis Club.*

**Dear Councillor,**

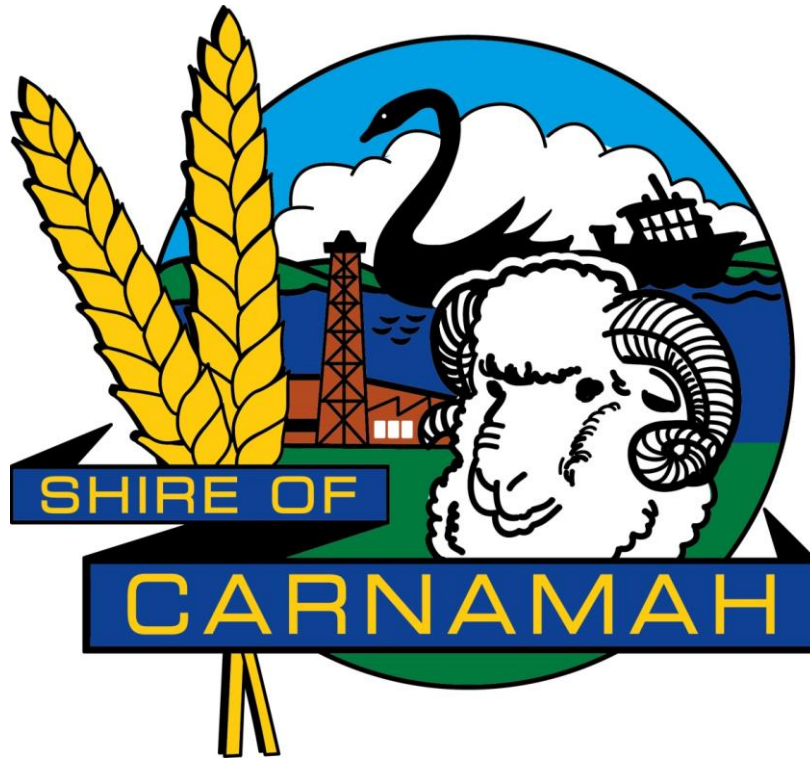
**The next Ordinary Meeting of the Carnamah Shire Council is to be held**

**On: Wednesday 21<sup>st</sup> September 2016**

**At: Eneabba Sportsman's Club  
Eneabba Drive, Eneabba**

**Commencing at: 3:00pm**

.....  
**W T ATKINSON  
CHIEF EXECUTIVE OFFICER**



# AGENDA

Ordinary Meeting of Council

21<sup>st</sup> September 2016

# SHIRE OF CARNAMAH

ORDINARY MEETING OF COUNCIL 21<sup>st</sup> SEPTEMBER 2016

# AGENDA

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**APPENDICES**

APPENDIX “A”

MINUTES OF ORDINARY MEETING OF COUNCIL  
17<sup>th</sup> AUGUST 2016 AS CIRCULATED.

## **SHIRE OF CARNAMAH**

### **DISCLAIMER**

No responsibility is implied or accepted by the Shire of Carnamah for any act, omission or statement or intimation occurring during Council or committee meetings.

The Shire of Carnamah disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council or committee meetings.

Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council or committee meeting does so at that person's or legal entity's own risk.

In particular and without detracting in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or intimation of approval made by any member or officer of the Shire of Carnamah during the course of any meeting is not intended to be and is not taken as notice of approval from the Shire of Carnamah.

The Shire of Carnamah advises that anyone who has any application lodged with the Shire of Carnamah shall obtain and should only rely on **WRITTEN CONFIRMATION** of the outcome of the application, and any conditions attaching to the decision made by the Shire of Carnamah in respect of the application.

Signed: \_\_\_\_\_

**CHIEF EXECUTIVE OFFICER**

**SHIRE OF CARNAMAH**

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**AGENDA**

**ORDINARY MEETING OF COUNCIL**

**To be held in the ENEABBA SPORTSMAN'S CLUB, ENEABBA DRIVE  
ENEABBA**

**On WEDNESDAY 21<sup>st</sup> September 2016**

**Commencing at 3.00 pm**

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- 1. DECLARATION OF OPENING**
  
- 2. RECORD OF ATTENDANCE**
  - Present**
  
  - Apologies**
  
  - Leave Of Absence (Previously Approved)**
  
- 3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**
  
- 4. PUBLIC QUESTION TIME**
  
- 5. APPLICATIONS FOR LEAVE OF ABSENCE**
  
- 6. DISCLOSURE OF INTEREST**
  
- 7. PETITIONS, DEPUTATIONS AND PRESENTATIONS**
  
- 8. ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION**

## **9. CONFIRMATION OF MINUTES**

### **9.1 MINUTES OF ORDINARY MEETING OF COUNCIL HELD 17<sup>th</sup> AUGUST 2016**

*As Circulated*

#### **VOTING REQUIREMENT:**

Simple Majority

**Moved: Cr**

**ITEM: 9.1**

**Seconded: Cr**

*That the Minutes of the Ordinary Meeting of Council held on the 17<sup>th</sup> August 2016 be accepted as a true and correct record.*

## 10 MANAGEMENT REPORTS

### 10.1 FINANCE REPORTS

#### 10.1.1 ACCOUNTS FOR PAYMENT

Applicant:	N/A
Location / Address:	N/A
File Ref:	ADM0075
Disclosure of Interest:	Nil
Date:	14 <sup>th</sup> September 2016
Author:	Deputy Chief Executive Officer
Attachments:	10.1.1 Cheque & EFT Listing

#### SUMMARY

Council to confirm the payment of creditors for the period 9<sup>th</sup> August 2016 – 12<sup>th</sup> September 2016 in accordance with the Local Government (Financial Management) Regulations 1996 section 13(1).

#### ATTACHMENT

Copy of list of accounts paid (EFT & cheque payments), which will enable Council to confirm the payment of its creditors in accordance with Local Government (Financial Management) Regulations 1996, Section 13(1).

#### BACKGROUND

Financial Regulations require a schedule of payments made through the Council bank accounts to be presented to Council for their inspection. The list includes details for each account paid incorporating the payee's name, amount of payment, date of payment and sufficient information to identify the transaction.

#### COMMENT

Invoices supporting all payments are available for inspection. All invoices and vouchers presented to Council have been certified as to the receipt of goods and the provision of services and as to prices, computations and costings, and that the amounts shown were due for payment.

#### CONSULTATION

Nil

#### STATUTORY ENVIRONMENT

Local Government Act 1995, Section 6.4 *Financial Report*  
Local Government (Financial Management) Regulations 1996 -  
*Section 12 Payments from municipal fund or trust fund;*  
*Section 13 Lists of accounts; and*  
*Section 15 Rounding off figures*



**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

Nil

**VOTING REQUIREMENT**

Simple Majority

**OFFICER RECOMMENDATION**

**ITEM: 10.1.1**

*That payment listed as attachment 10.1.1. List of Accounts Due and Paid for the period 9<sup>th</sup> August 2016 to 12<sup>th</sup> September 2016; and paid by the Chief Executive Officer under delegated authority of Council, or by the Deputy CEO (in the Chief Executive Officer's absence) as delegated by the Chief Executive Officer including:*

<i>Manual Municipal cheques:</i>	<i>022446 - 022452</i>
<i>Municipal cheques:</i>	<i>27993 -27995</i>
<i>Municipal EFT's:</i>	<i>9403 - 9501</i>
<i>Trust Cheques:</i>	<i>300387 - 300388</i>
<i>Payroll direct debits:</i>	<i>#03 - #04 - #05</i>
<i>Municipal Direct Debits</i>	<i>31082016</i>

*Totalling \$934,203.79 be approved and passed for payment.*

## 10.1.2 FINANCIAL REPORTS TO 31<sup>st</sup> AUGUST 2016

Applicant:	N/A
Location / Address:	N/A
File Ref:	ADM0075
Disclosure of Interest:	Nil
Date:	12 <sup>th</sup> September 2016
Author:	Deputy Chief Executive Officer
Attachments:	10.1.2 - Monthly Statement of Financial Activity

### SUMMARY

A Statement of Financial Activity and other supplementary financial information is produced monthly as part of the Council meeting agenda.

### BACKGROUND

The attached financial report for the period 1<sup>st</sup> of July 2016 to 31<sup>st</sup> of August 2016 (marked 10.1.2) has been prepared in accordance with the Local Government Financial Management Regulations.

### COMMENT

Included with this report is the following:

- Statement of Financial Activity for the period 1 July 2016 to 31 August 2016;
- Summary Rates Trial Balance Report as at 31 August 2016;
- Cash and Investment Listing;
- Debtors Listing;
- Other Supplementary Information

### CONSULTATION

Nil

### STATUTORY ENVIRONMENT

Local Government (Financial Management) Regulation 34 - *Financial activity statement reports 6.4*

### POLICY IMPLICATIONS

Nil

### FINANCIAL IMPLICATIONS

Nil

### VOTING REQUIREMENT

Simple Majority

### OFFICER RECOMMENDATION

ITEM: 10.1.2

*That Council receive the Statement of Financial Activity for the period 1 July 2016 to 31 August 2016; and other supplementary financial information as presented.*

## 10.2. ADMINISTRATION REPORTS

### 10.2.1 ENEABBA PLAYGROUP INC – PROPOSED MULTI-PURPOSE SHED FOR ENEABBA PLAYGROUP AND ENEABBA TENNIS CLUB

Applicant:	Eneabba Playgroup Inc
Location / Address:	Reserve 26044
File Ref:	ADM0254
Disclosure of Interest:	Nil
Date:	14 <sup>th</sup> September 2016
Author:	Chief Executive Officer
Attachments:	10.2.1(a) Grant Application (Draft) <i>Royalties for Regions Mid-West Community Chest Fund</i> 10.2.1(b) Letter – Eneabba Tennis Club

## SUMMARY

This report recommends that:

- The Shire consent to be the auspicing body for the proposed construction of a multi-purpose shed to accommodate the Eneabba Playgroup and the Eneabba Tennis Club;
- That Council agree to meeting cash and in-kind costs of approximately \$12,500.00;
- That Council agrees to meet the recurrent costs associated with maintaining the building, utility costs, and insurance costs;
- That arrangements for the construction and commissioning of the building, and underwriting any financial shortfalls be governed by a *Memorandum of Understanding* between the Shire of Carnamah and the Eneabba Tennis Club.
- The Shire's support is conditional on the Eneabba Tennis Club agreeing to cover any project over-expenditure that is incurred.

## BACKGROUND

Council, at its meeting of the 15<sup>th</sup> of June 2016, resolved to agree in principle to the proposed demolition of the Eneabba Art and Tennis Club sheds and for the construction of a multi-purpose shed in the same location to be utilised by the Eneabba Playgroup Inc and the Eneabba Tennis Club.

Since that time, Ms Tammy Sandison has been developing the proposal with the objective of submitting an application for contributory funding for the project to the *Royalties for Regions Mid-West Community Chest Fund*. Applications for funding close on the 23<sup>rd</sup> of September 2016.

## COMMENT

Ms Tammy Sandison (Eneabba Playgroup) has undertaken to manage this project through to completion and to co-ordinate funding contributions from third parties.

At this stage, the implications to the Shire with respect to this project include:

1. Because the building will be on Shire managed land, it is preferable for the Shire to be the auspicing body for the *Community Chest Fund* grant. This involves submitting the application, receiving income, acquitting expenditure and arranging an audit.
2. The Shire has been requested to provide the following in-kind works:
  - Tree removal (estimated cost \$2,000.00)
  - Demolition and disposal of the old Tennis Club building (estimated cost \$7,500.00)
  - Site preparation (estimated cost \$3,000.00)
3. The Shire will be responsible on a recurrent basis for insuring and maintaining the building and for the cost of utilities (power and water). While Council has agreed in principle to the proposal, the following points serve as background and, perhaps, discussion points:
  - When the decision was taken to demolish the former Playgroup building, the thinking was that the Playgroup could be accommodated in the Eneabba Recreation Centre which is under-utilised, and has functional toilet and kitchen facilities. The invitation for Playgroup members to participate in an on-site meeting with the Shire was not taken up and the Playgroup (without objection from the Shire), decided to use the old shed near the Tennis Club building which was previously used by an Arts group.
  - Whilst there has not been a formal approach by the Eneabba Tennis Club previously to replace or upgrade its shed, there has been some discussion about it in recent years. The Tennis Club is the principal party in this joint initiative.
  - If the grant application, the subject of this report, is unsuccessful, the opportunity would prevail to apply for funding for a new (stand-alone) Tennis Club building through the Department of Sport and Recreation *Community Sport and Recreation Facility Fund*. With respect to accommodating the needs of the Playgroup in this event, discussions could resume on utilising the Eneabba Recreation Centre.
  - The current preference however, is for a joint facility and the following administrative arrangements would be put in place and formalised through a *Memorandum of Understanding* between the Shire of Carnamah and the Eneabba Tennis Club (“The Club”):
    1. The Shire will be the auspicing body by virtue of it holding a Management Order over the land in question;
    2. The Club nominates a Project Manager who will be responsible for all planning, procuring components, recommending contractors, supervision and commissioning of all works, within the parameters of the Shires Purchasing Policy. This person will be the principal point of contact for the Shire;

3. The Club provides the Shire with a budget for the project prior to the grant and its associated conditions being accepted. If the project exceeds the budgeted amount, the Club is to underwrite the costs of any overruns in expenditure;
4. The Club provides the Shire with a timeline for the project to be completed;
5. The Club deposits all secured funding into the *Shire of Carnamah Trust Account*;
6. The Club assists the Shire in meeting its obligations in accordance with the conditions of the grant funding agreement including evaluating outcomes (measuring success);
7. The Shire issues purchase orders for all componentry, works undertaken by contractors, etc., in order to properly evidence procurement and expenditure processes to meet audit requirements.

The timeline for the submission of the grant application to the *Royalties for Regions Mid-West Community Chest Fund* has dictated the need to accelerate the development of this proposal. Even at this late stage the position is somewhat fluid with respect to the final figures that will be included in the grant application. The Shires contribution for the capital cost of the project will however be limited to \$12,500.00 if the Tennis Club agrees to underwrite any cost overruns as proposed.

## **CONSULTATION**

- Ms Tammy Sandison – Project Co-ordinator
- Mr Trevor Brandy – Consultant (Manager Regulatory Services)

## **STATUTORY ENVIRONMENT**

Local Government Act 1995 – s 6.8(1) (b) – *Expenditure from municipal fund not included in annual budget.*

## **STRATEGIC IMPLICATIONS**

The *Community Strategic Plan* is the principal plan articulating the priorities of the community and determining how those priorities will be resourced and brought through to completion. The proposal has not been captured in the current strategic plan, however is likely to be included in the strategic plan currently being prepared.

## **POLICY IMPLICATIONS**

Policy 2.12 – Proposal requiring Shire funding and/or in-kind support.

## FINANCIAL IMPLICATIONS

Cash and in-kind contribution of approximately \$12,500.00. This can be accommodated within the current budgetary framework, although an *Absolute Majority* decision will need to be recorded, due to this project not having been included in the Shire's 2016/17 financial year budget. Recurrent annual insurance, maintenance and utility costs will need to be provided for in future budgets.

## VOTING REQUIREMENT

Absolute Majority

### OFFICER RECOMMENDATION

ITEM: 10.2.1

#### That:

- *The Shire consent to be the auspicing body for the proposed construction of a multi-purpose shed to accommodate the Eneabba Playgroup and the Eneabba Tennis Club;*
- *That Council agree to meeting cash and in-kind costs of approximately \$12,500.00;*
- *That Council agree to meet the recurrent costs associated with maintaining the building, utility costs, and insurance costs;*
- *That arrangements for the construction and commissioning of the building, and underwriting any financial shortfalls be governed by a Memorandum of Understanding between the Shire of Carnamah and the Eneabba Tennis Club.*
- *The Shire's support is conditional on the Eneabba Tennis Club agreeing to meet any budget over-expenditure that is incurred.*

## 10.2.2 PERFORMANCE OF EXECUTIVE FUNCTIONS – LOCAL GOVERNMENT ACT REQUIREMENT

Applicant:	N/A
Location / Address:	N/A
File Ref:	ADM0072
Disclosure of Interest:	Nil
Date:	13 <sup>th</sup> September 2016
Author:	Chief Executive Officer
Attachments:	Nil

### BACKGROUND

Section 3.18 (3) of the Local Government Act, requires a local government to satisfy itself that services and facilities that it provides:

- (a) integrate and co-ordinate, so far as practicable, with any provided by the Commonwealth, the State or any public body;
- (b) do not duplicate, to an extent that the local government considers inappropriate, services or facilities provided by the Commonwealth, the State or any other body or person, whether public or private; and
- (c) are managed efficiently and effectively.

### COMMENT

The annual Local Government Compliance Return requires details of the manner in which council indicated its satisfaction in accordance with the section of the Act.

The Shire integrates and co-ordinates with services provided by other levels of government and other public bodies as far as practicable. The Shire does not duplicate any services or facilities provided by any government agencies or the private sector.

The Shire manages the services and facilities, efficiently and effectively as evidenced by adherence to budget estimates, asset management programs and the low level of complaints received.

### CONSULTATION

Nil

### STATUTORY ENVIRONMENT

Local Government Act 1995 – section 3.18 – *Performing executive functions.*

### POLICY IMPLICATIONS

Nil

**FINANCIAL IMPLICATIONS**

Nil

**VOTING REQUIREMENT**

Simple Majority

**OFFICER RECOMMENDATION**

**ITEM: 10.2.2**

*That Council record its satisfaction that section 3.18 (3) of the Local Government Act 1995, relating to the services and facilities that the Shire provides, has been complied with.*



## 10.3 CONFIDENTIAL REPORTS

### 10.3.1 MOTION TO CLOSE THE MEETING TO THE PUBLIC: CONSIDERATION OF CONFIDENTIAL REPORTS

Applicant:	N/A
Location / Address:	N/A
File Ref:	N/A
Disclosure of Interest:	
Date:	14th September 2016
Author:	Executive Support Officer
Attachments:	Nil

#### BACKGROUND

Item 10.3.2 of the Agenda of 21<sup>st</sup> September 2016, deals with matters affecting Council, of which the meeting may be closed to the public.

Council considered a separate confidential report marked 10.3.2.

#### COMMENT

Nil

#### STATUTORY ENVIRONMENT

*Local Government Act 1995 Section 5.23 (2) (a) (c) (d) (e) Meetings generally open to the public.*

#### STRATEGIC IMPLICATIONS

Nil

#### POLICY IMPLICATIONS

Nil

#### FINANCIAL IMPLICATIONS

Nil

#### VOTING REQUIREMENT

Simple Majority

#### OFFICER RECOMMENDATION

ITEM 10.3.1

*That the meeting be closed to the public to consider Confidential Item 10.3.2 of the 21<sup>st</sup> September 2016 Agenda.*

**10.3.2 CONFIDENTIAL ITEM**

File: PER #101  
Author: Chief Executive Officer

Date: 14<sup>th</sup> September 2016

**VOTING REQUIREMENT**  
Simple Majority

**OFFICER RECOMMENDATION**

**ITEM 10.3.2**

**Moved:**  
**Seconded:**

### 10.3.3 MOTION TO RE-OPEN THE MEETING

Applicant:	N/A
Location / Address:	N/A
File Ref:	N/A
Disclosure of Interest:	Nil
Date:	14 <sup>th</sup> September 2016
Author:	Executive Support Officer
Attachments:	Nil

#### **VOTING REQUIREMENT:**

Simple Majority

#### **OFFICER RECOMMENDATION**

**ITEM 10.3.2**

**Moved:**

**Seconded:**

*That the meeting be re-opened to the public.*

### **11. ORDERING THE COMMON SEAL**

### **12. REPORTS OF COMMITTEES AND MEMBERS.**

### **13. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN.**

### **14. NOTICE OF MOTIONS.**

(For consideration at the following meeting, if given during the meeting).

### **15. NEW BUSINESS OF AN URGENT NATURE ADMITTED BY COUNCIL.**

### **16. CLOSURE OF MEETING.**